

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re,  ASHLEY R BROWN,  Debtor,  REGIONAL ACCEPTANCE CORPORATION,  Movant,  v.  ASHLEY R BROWN, and GARY F. SEITZ Trustee, Respondents.	Bankruptcy No. 20-11265-amc  Chapter 7  Document No.
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, Regional Acceptance Corporation (the “Movant”), by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Relief from the Automatic Stay (the “Motion”), representing as follows:

THE PARTIES

1. Respondent, Ashley R Brown, (“Debtor”), is an adult individual with a place of residence located at 602 Cedar Avenue, Darby, PA 19023.
2. Gary F. Seitz, is the duly appointed Chapter 7 Trustee and is currently acting in such capacity.

JURISDICTION AND VENUE

3. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

FACTUAL BACKGROUND

4. On or about February 28, 2023, the Debtors filed a voluntary petition for relief pursuant to Chapter 7 of the Bankruptcy Code.

5. On or about October 17, 2019, the Debtor purchased a 2017 Hyundai Elantra Sedan 4D SE Popular, VIN# 5NPD84LF6HH070716 (the “Vehicle”), pursuant to a Retail Installment Contract (the “Contract”) with the Movant, a true and correct copy of which is attached hereto as **Exhibit A**.

6. Movant has a secured interest in the Vehicle, as evidenced by the Certificate of Title attached hereto as **Exhibit B**.

7. The Contract requires monthly payments of \$449.89, which amounts are due on or before the 1st of each month.

8. As of the date of this Motion, the Debtor is in default of their payment obligations to Movant in the amount of \$7,251.16. The Debtors is currently due for the payment due on March 1, 2023.

9. The gross balance due on the Contract is \$16,403.00.

10. The N.A.D.A value for the 2017 Hyundai Elantra Sedan 4D SE Popular, VIN# 5NPD84LF6HH070716 is \$13,575.00. A true and correct copy of a printout showing that value is attached hereto as **Exhibit C**. Therefore, there is no equity in the collateral, the Debtor is still responsible for making monthly payments to Movant.

11. Movant is entitled to relief from the automatic stay for cause, including the lack of adequate protection, because the Debtor has failed to make payments to Movant. 11 U.S.C. §362(d)(1).

WHEREFORE, Movant, Regional Acceptance Corporation, respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to the 2017 Hyundai Elantra Sedan 4D SE Popular, VIN# 5NPD84LF6HH070716.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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